

REMARKS

In response to the above-identified Office Action, which rejected all pending claims 27, 28, and 33-38 (claims 29-32 having been withdrawn in connection with a Restriction requirement), Applicant seeks reconsideration in view of the following remarks and the amendments reflected in the claim listing above. No new matter has been added. After entry of the forgoing amendment, claims 27, 28, and 33-38 remain pending in the application.

I. Claim Rejections – 35 U.S.C. §103

Claims 27, 28, 33, 36, and 37 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,461,627 ("Rypinski") in view of U.S. Pat. Pub. No. 2002/0089958 ("Feder"). Claims 34 and 35 stand rejected as being unpatentable over Rypinski combined with Feder and U.S. Pat. No. 6,701,361 ("Meir"). Claim 38 stands rejected as being unpatentable over Rypinski combined with U.S. Pat. No. 6,859,134 ("Heiman"). All of these rejections are respectfully traversed.

The Examiner states that "it is noted that the applicant's remarks effectively show the difference between the prior art used in the final rejection and the invention disclosed by the whole disclosure of the current application (specification and drawings). However, Applicant's arguments do not successfully point out the patentable novelty disclosed by the claims." While Applicant submits that the previous arguments effectively distinguish the claimed invention over the prior art, in the interest of compact prosecution the claims have been amended to further clarify the nature of the claimed invention.

For example, the Examiner suggests that the term "association" is not clearly defined or claimed. In response, Applicant has amended claim 27 to recite that: "the access point [is] further configured to perform an association process with the one or more mobile units such that the access point becomes the **unique associated access point for communicating the data packets to the one or more mobile units.**"

The "registration" process mentioned by Rypinski is not the same as "an association process" as used in the present specification and claims. That is, Rypinski is directed at a proprietary way of

providing wireless communications using multiple antennas, and merely discloses using multiple antennas to simultaneously transmit to a single station (as in col. 23, line 15). The purpose of multiple antennae is to reduce the effects of extraneous signals from other sources (see Background). The controller stores a common status directory which knows which access points successfully transmitted to a given mobile device (col. 23, line 27). However, the HUB controller of Rypinski (see Fig. 5) may try to transmit to *any* mobile unit through *any* number of access points, assuming that it had previously done so. Stated another way, the antennas of Rypinski are not "uniquely associated" with the mobile units.

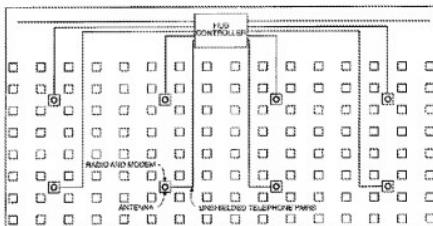


FIG. 5

Feder does not cure the defects of Rypinski. Feder, as the Examiner mentioned previously, *does* disclose the use of connection tables (Tables 1-3); however, the connection table in the access point of Feder (Table 1) must be consulted to effect delivery of messages, and the access points themselves must monitor the mobile unit address within the data packets to determine the address of the end-user modem. Stated another way, the access points of Feder do not act as "conduits." They use the connection ID (CID) and wireless modem address (WM) values to route the data to the correct wireless modem.

Accordingly, Applicants respectfully submit that neither Rypinski nor Feder, taken alone or in combination with any other art or record, include each and every element of the independent claims as currently amended, and furthermore that there is no motivation to combine the reference as suggested by the Examiner. As the remaining claims variously depend from the independent claims, these claims are also non-obvious for at least the reasons set forth above. Applicants therefore request that the Section 103 rejections be withdrawn.

II. Conclusion

In view of the foregoing, it is believed that all claims now pending are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (480) 385-5060 or dpote@ifllaw.com.

If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 50-2091 for any fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,
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